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The Board of Trustees of The Leland Stanford Junior  
University

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

The Board of Trustees of The Leland Stanford  
Junior University,  
  
Plaintiff,  
  
v.  
  
Stanford Financial Group Company and Stanford  
Group Company,  
  
Defendants.

No. 3:08-cv-04950 CRB

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING HEARING  
TO SHOW CAUSE, CONTINUING  
HEARING DATES ON PENDING  
MOTIONS, AND EXTENDING TIME  
TO RESPOND TO DEFENDANT  
STANFORD GROUP COMPANY'S  
COUNTERCLAIMS**

Hearing to Show Cause:  
Existing Date: August 28, 2009  
Stipulated Date: September 25, 2009  
Time: 10:00 a.m.  
Ctrm: 8

Pending Motions:  
Existing Date: September 25, 2009  
Stipulated Date: October 23, 2009

Response to Counterclaims:  
Existing Date: September 11, 2009  
Stipulated Date: October 9, 2009

Hon. Charles R. Breyer

1 Pursuant to Civil L.R. 7-7(a) and the Court's Standing Order, all parties to this action, by  
2 and through their respective counsel of record, hereby stipulate as follows:

3 On March 25, 2009, the Court entered an Order to Show Cause requiring the Receiver  
4 appointed by the Northern District of Texas to exercise control and possession of the  
5 Defendants' assets (the "Receiver") to appear before the Court on April 24, 2009 to explain its  
6 contention that further proceedings in this action are barred and why this action should not  
7 proceed. Document No. 103. In addition, the Court directed the Receiver and the Plaintiff  
8 Stanford University ("Stanford") to file a Joint Case Management Conference Statement on or  
9 before April 17, 2009. On April 17, 2009, the Court entered an order granting the parties'  
10 request to continue the hearing to show cause from April 24 to May 29 and directing the parties  
11 to file the Joint Case Management Conference Statement on or before May 22, 2009. Document  
12 No. 106. Thereafter, upon the parties' request, orders were entered by the Court on May 22,  
13 2009, June 18, 2009, and July 17, 2009 which continued the hearing to show cause to August 28,  
14 2009 and directed the parties to file the Joint Case Management Conference Statement on or  
15 before August 21, 2009. Documents No. 110, 112, and 114.

16 Since the Court entered the May 22, 2009, June 18, 2009, and July 17, 2009 orders  
17 continuing the hearing to show cause, the parties continued to exchange draft documentation  
18 regarding the resolution. The parties now believe that they are close to completing the settlement  
19 process, but need a brief additional amount of time to review and finalize the agreement. While  
20 the parties have worked diligently to reach a resolution and finalize a settlement agreement, it is  
21 unlikely that this process can be completed before the August 21, 2009 filing deadline for the  
22 Joint Case Management Conference Statement or the August 28, 2009 date for the hearing to  
23 show cause.

24 To provide the parties time to finish the settlement process and to finalize the settlement  
25 documentation, Stanford and the Receiver wish to continue the date of the hearing to show cause  
26 to September 25, 2009 and to continue the filing date for the Joint Case Management Conference  
27 Statement to September 18, 2009. Additionally, Stanford and the Receiver wish to reset the  
28 hearing dates for the Defendants' five pending motions, which are all currently set for September

1 25, 2009, to October 23, 2009, with opposition and reply dates to run from the later, re-scheduled  
2 date pursuant to Civil L.R. 7-3, to extend the time for Stanford to respond to Defendant Stanford  
3 Group Company's counterclaims from September 11, 2009 to October 9, 2009, and to extend the  
4 time for the Defendants to respond to pending discovery requests from September 4, 2009 to  
5 October 2, 2009.

6  
7 NOW THEREFORE, IT IS SO STIPULATED between the parties that there is good  
8 cause for the Court to enter an order resetting the date for the Hearing to Show Cause, which is  
9 currently set for August 28, 2009, to September 25, 2009.

10 IT IS FURTHER STIPULATED between the parties that there is good cause to enter an  
11 order resetting the filing date for the Joint Case Management Conference Statement, which is  
12 currently set for August 21, 2009, to September 18, 2009.

13 IT IS FURTHER STIPULATED between the parties that there is good cause for the  
14 Court to enter an order to reset the hearing dates for Stanford Financial Group Company's  
15 Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford Group  
16 Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim on  
17 Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for  
18 Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford  
19 Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for  
20 Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's  
21 Motion for Partial Summary Judgment (Doc. No. 80), which are all currently set for September  
22 25, 2009, to October 23, 2009, with opposition and reply dates to run from the later, re-scheduled  
23 date pursuant to Civil L.R. 7-3.

24 IT IS FURTHER STIPULATED between the parties that there is good cause for the  
25 Court to enter an order extending the time for Stanford to respond to Stanford Group Company's  
26 counterclaims from September 11, 2009 to October 9, 2009.

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1 IT IS FURTHER STIPULATED that the time for the Defendants to respond to pending  
2 discovery requests is extended from September 4, 2009 to October 2, 2009.

3 DATED: August 20, 2009  
4

5 Bingham McCutchen LLP  
6

7  
8 By: /s/ William F. Abrams  
9 William F. Abrams  
Bingham McCutchen LLP

10 Attorneys for Plaintiff  
The Board of Trustees of The Leland  
11 Stanford Junior University

12 DATED: August 20, 2009  
13

14 Thompson & Knight LLP  
15

16 By: /s/ Jessica B. Magee  
17 Jessica B. Magee  
Thompson & Knight, LLP

18 Attorneys for the Receiver for Defendants  
19 Stanford Financial Group Company and  
20 Stanford Group Company  
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**NOW THEREFORE, IT IS HEREBY ORDERED THAT** the Hearing to Show Cause, currently set for August 28, 2009, is re-scheduled for hearing at 10:00 a.m. in Courtroom 8 on September 25, 2009.

**IT IS FURTHER ORDERED THAT** a Joint Case Management Conference Statement, currently due to be filed on or before August 21, 2009, shall be filed on or before September 18, 2009.

**IT IS FURTHER ORDERED THAT** Stanford Financial Group Company's Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford Group Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim on Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's Motion for Partial Summary Judgment (Doc. No. 80), set for hearing on September 25, 2009, are re-scheduled for hearing at 10:00 a.m. in Courtroom 8 on October 23, 2009, with opposition and reply deadlines to be based on the re-scheduled date.

**IT IS FURTHER ORDERED THAT** the time for Stanford to respond to Defendant Stanford Group Company's counterclaims is extended from September 11, 2009 to October 9, 2009.

**IT IS FURTHER ORDERED** that the time for the Defendants to respond to pending discovery requests is extended from September 4, 2009 to October 2, 2009.

DATED: August 21, 2009

The Honorable  
UNITED STATES

